

PART VIII: CONCLUSION



Alex Ashton and Timothy Davis at Holman Prison 2011

I began this investigation with three goals. First, I wanted to learn significant things about the case which can't be found in the public record. There's no better example than John Tapley's admission that nobody found a billfold down at the old covered bridge. At the time of Mr. Tapley's statement, I had concluded that the story didn't make sense, but nothing beats the words coming from the participant's mouth.

Exposing the bogus story at the covered bridge completely unravels the prosecution's case. From my perspective, it's difficult to understand how Timothy Davis was convicted on virtually no evidence. However, Tim Davis had been demonized long before the trial and convicted in the court of public opinion. Some of the more outlandish rumors—that Tim Davis was the notorious Georgia Strangler, for example—may have been part of an effort to give cover to Gerald Neighbors, but I found no direct evidence that happened. Billy Hill, the District Attorney, told me that the prosecution neither performed any investigation nor analyzed any facts proving Timothy Davis had committed a crime. Hill and the Assistant DAs simply took the case given them by the Coosa County Sheriff's Department and prosecuted it.

The second thing I wanted to do was to solve the crime. Michele Villeneuve's telling me Mrs. Alford called the murderer by the name "Gerald" didn't supplement my investigating Gerald Neighbors—it initiated it. If not for Michele, Mr. Neighbors was so well insulated from scrutiny I may have never questioned him at length.

Third, I wanted to present my findings in a way that an interested, unbiased person could read the investigation, look at the relevant evidence and arrive at an informed decision about the murder and conviction.

Special laws exist to protect juveniles from the harsh realities of criminal law faced by adults. Alabama's criminal justice system failed Timothy Davis. The failure ran from top to bottom and includes virtually everyone who had anything to do with the case—defense attorneys, prosecutors, police officers, judges, forensic scientists, even the court reporter. It should never be said by anyone that Timothy Davis received a fair trial.

Timothy Charles Davis was found guilty of capital murder in June of 1980. Because of constitutional problems with the capital murder statute, Davis was expecting a new trial. On July 14, 1980, Davis learned he would not be getting his hoped-for second trial. On that day at about 5 p.m., Lt. E.J. Gosdin took his own life with a gunshot to the head. Depression was listed as a contributing cause. Other than the timing, which may be coincidental, nothing points to a connection between Davis' conviction and Gosdin's suicide. However, if Lt. Gosdin were remorseful over what happened to Timothy Davis, Gosdin would be the only known person in the group mentioned above to show any sign of regret over the outcome of this case.

At age 19, Timothy Davis was placed on death row in Alabama's Holman prison to await execution by electrocution. He was held in a solitary 5 by 8 foot cell 23-hours-per-day and allowed 1 hour of solitary exercise each day. He was permitted a 5-minute shower every other day and a single, 3-minute telephone call each month. Death row at Holman is housed in a metal building with no air conditioning. At times the inmates have flooded their cells and lay in the water to escape the heat.

Tim Davis lived on death row 26 years. When the U.S. Supreme Court ruled that offenders who committed their crimes under the age of 18 could no longer be executed, Davis was resentenced to life without parole, a second death sentence. Prison food and lack of exercise have taken their toll. He suffers from psoriatic arthritis, and his health is poor. In July 2014, Tim Davis will mark his 36th year of incarceration. His time for freedom is long overdue.

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